

Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION

Approved 06/04/2009

THURSDAY, May 7, 2009, 7:00 p.m.
Council Chambers, 26379 Fremont Road

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Harpootlian, Commissioners Collins, Cottrell, Clow and Abraham

Absent: None

Staff: Debbie Pedro, Planning Director; David Keyon, Associate Planner; Nicole Horvitz, Assistant Planner; and Victoria Ortland, Planning Secretary

2. PRESENTATIONS FROM THE FLOOR - none

3. PUBLIC HEARINGS

3.1 LANDS OF AGAM, 25611 Vindeo Lane (Lot #3); File #315-08-ZP-SD-GD; A request for a Site Development Permit for a 5,461 square foot two story new residence (maximum height: 27 feet) with a 3,489 square foot basement, a 251 square foot secondary unit (pool cabana), a 416 square foot pool, and a grading policy exception for up to 11 feet of cut for the driveway. CEQA Review: Categorical Exemption per Section 15303 (a) & (e) (Staff-David Keyon) (CONTINUED FROM THE APRIL 2, 2009 PLANNING COMMISSION MEETING).

Planning Commission Ex Parte Contacts Policy Disclosure: none

David Keyon, Associate Planner, presented the staff report for the project explaining the revisions made to the plans as directed by the Planning Commission at the April 2, 2009 meeting. Due to changes in the plans, an increase in the number of grading policy exceptions was requested. Written correspondence regarding the trimming of a line of oak trees bordering the Lands of Lauterbach had been received from Valerie Lauterbach. A letter of response from Isaac Agam had been submitted to Town Hall. An arborist's report prepared by Barrie Coate outlining measures to mitigate potential damage done to the oak trees had been delivered by Valerie Lauterbach. The limbs of the oak trees had been trimmed back to the property line reducing the original dripline by 13 to 15 feet. The arborist's report recommended that a light colored coating material be applied to the trunk and branch sections which were exposed by the removal of the limbs; reduction of the canopy on the east side of the trees; no grading be permitted in the original dripline area; and use of fencing for protection of the trees.

At Commissioner Abraham's inquiry, staff stated that the arborist's report had been submitted on May 7, 2009 and was dated April 22, 2009. The trees had been trimmed six to eight months earlier.

Scott Stotler, designer, explained that the driveway on the south side of the lot had been relocated 10 feet further away from the property line to provide more area for landscape screening.

Isaac Agam, applicant, said that the oak trees would be coated to protect them as recommended. He asked for clarification of the dripline distance for tree fencing and grading.

Chairman Harpootlian replied that the dripline would be measured at 13 to 15 feet from the property line.

OPENED PUBLIC HEARING

Valerie Lauterbach, Elena Road, explained that she first became aware that the oak trees had been trimmed when the story poles went up. She hired arborist Barrie Coate to evaluate the health of the trees; he examined them at her house on April 22, 2009. She was concerned that the driveway grading would damage the trees. Establishing the dripline at 13 to 15 feet away from the property line would be sufficient. She asked that the applicant to coat the exposed portions of the trunks and branches of the trees that are now susceptible to sunburn after removal of the leaf canopy. A portion of the redesigned driveway is still closer than 20 feet to shared property line. She did not like the location of that section of driveway as it overlooked the backyard where her children play and provided a good view onto her property. She requested as much screening as possible for that area.

Steve Wang, Vinedo Lane, asked if the pine tree on the project site could be preserved. He felt that it provided screening for his property.

Sandy Humphries, Environmental Design and Protection Committee, asked if the outside lighting for the balcony would shine down on the neighboring property. She wondered if a different style of light would be less intrusive.

CLOSED PUBLIC HEARING

Isaac Agam, applicant, stated that the driveway section closer than 20 feet to the Lauterbach's property line was part of the required Fire Department fire truck turnaround. He was willing to change the location if a new design could be developed.

Commissioner Cottrell supported the project and felt much effort had been made to redesign the plans. The trimmed oak tree limbs should be coated as recommended.

Commissioner Clow wanted the cedar trees preserved until the landscape screening was installed. He supported the application.

Commissioner Collins supported the redesigned plan. The cedar trees could be removed as they do not provide significant screening and would be problematic to remove after construction. The recommendations from staff for tree preservation should be followed.

Commissioner Abraham supported the application. The cedar trees do not need to be preserved. The location of the dripline tree fencing for the oak trees on the Lauterbach's side of the lot should be determined by the Google Earth map that shows a distance of 13 to 15 feet from the property line.

Chairman Harpootlian felt preserving the cedar trees and restricting any tree removal until submittal of building plans would prevent the lot from appearing denuded before construction begins. The oak trees should be protected by the recommended measures. The pine tree did not need to remain on the site.

MOTION MADE, AMENDED, SECONDED AND PASSED BY ROLL CALL VOTE: Motion made by Commissioner Cottrell and seconded by Commissioner Abraham to approve the Site Development Permit subject to the recommended conditions of approval. A new condition will be added requiring that the branches and trunks (on the Lauterbach's oak trees) that were exposed due to the trimming will be coated to prevent sunburn and disease, and the original dripline location for those trees determined by staff using the Google Earth map.

AYES: Commissioners Cottrell, Collins, Clow, Abraham and Chairman Harpootlian
NOES: None

This item is subject to a 22 day appeal period and will be forwarded to a future meeting of the City Council.

- 3.2 LANDS OF EVANS, 11641 Buena Vista Drive; File #31-09-ZP-SD-GD; A request for a Site Development Permit for a new 11,954 square foot two story residence (maximum height 29'5") with a 1,580 square foot basement, 732 square foot attached second unit, and 1,064 square foot swimming pool. The applicant is also requesting grading policy exceptions for the house, the driveway and portions of the front, side and rear yards. CEQA Review: Categorical Exemption per Section 15303 (a) & (e) (Staff-Nicole Horvitz).

Planning Commission Ex Parte Contacts Policy Disclosure: none

Nicole Horvitz, Assistant Planner, explained that the project was before the Planning Commission as an estate home with a basement, swimming pool, attached second unit, and with requests for grading policy exceptions. Two new driveways will serve two sunken garages. An open space easement over the northern portion of the property will be dedicated to the Town. Of the eight trees planned for removal, two are small oaks. An arborist's report outlining a tree protection plan for existing heritage oaks had been provided. Ten 36" box oak trees had been proposed for installation along Buena Vista Drive immediately after completion of grading. The grading policy exception requests are to sink the new residence into the hillside.

Eric Evans, applicant, said the goals for the project were to design the new home to be so energy efficient as to use no fossil fuels or electricity from the grid and to enable a substantial amount of food to be grown. A large photovoltaic panel system mounted on the roof, a geo thermal heating and cooling system, a rooftop vegetable garden, and a large orchard on the slope behind the house are planned to accomplish this. He had 14 eucalyptus trees cut down and a large amount of debris cleared from the lot. The property has over 100 mature live oak trees which have been pruned and treated to protect them against Sudden Oak Death disease. More than 200 trees and shrubs (mostly native) have been planted along with over 100 pounds of native grass and flower seed. Strong neighborhood outreach had been conducted and the project plans shared with over 20 people. Seventeen letters of support had been received. The profile of the new residence will be more than ten feet lower than the existing house to preserve views for the neighborhood.

Noel Cross, architect, explained the environmentally sustainable proposed project for the large site. Thoughtful consideration had been given to the design of the project to respectfully utilize the property while realizing the owner's goals, considering the Town's ordinances, and requirements while respecting the neighbors and their views.

Chairman Harpootlian asked the height of the tallest retaining wall.

Noel Cross replied that no retaining walls would be over six feet in height.

OPENED PUBLIC HEARING

Pedro Lizaur, Buena Vista Drive, acknowledged the effort made by the Evans' to keep him informed throughout the process of planning the new residence. He felt there was no better or less intrusive design for the site. He encouraged the Planning Commission to support the project.

Waidy Lee, Central Drive, appreciated the environmentally designed house and the effort made by the Evans' inviting her to view the property, the plans and the other information about the project.

Sandy Humphries, Environmental Design and Protection Committee, commented that the copper planned for the flashings, downspouts, and gutters on the new house would contribute to pollution in the ocean. She requested use of a different material for the flashings, downspouts, and gutters.

Noel Cross explained that green building philosophy promotes replenishment of the groundwater aquifer and encourages use of durable building materials to preserve resources. Copper is a superior material for durability and depositing the rainwater into the ground will replenish the aquifer and also filter the water.

Nancy Couperus, Open Space Committee, supported the project and was impressed with the Evan's plans for the site and their cooperation with the Open Space Committee.

CLOSED PUBLIC HEARING

Commissioner Clow supported the project and felt the grading exceptions helped the new house blend into the hillside. The applicants had done an outstanding job planning the new residence and had neighborhood support.

Commissioner Cottrell said that the application was the best example of a home designed for a ridgeline that he had seen during his 11 years on the Planning Commission. He supported the project.

Commissioner Abraham felt this was a spectacular project that had been well thought through and supported the application.

Commissioner Collins agreed with her fellow commissioners.

Chairman Harpootlian appreciated the neighborhood outreach done by the applicants. He supported the project.

MOTION MADE, SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Abraham and seconded by Commissioner Clow to approve the requested Site Development Permit subject to the conditions of approval.

AYES: Commissioners Cottrell, Collins, Clow, Abraham and Chairman Harpootlian
NOES: None

This item is subject to a 22 day appeal period and will be forwarded to a future meeting of the City Council.

- 3.3 LANDS OF EPISCOPAL LAYMAN'S GROUP OF LOS ALTOS (APPLICANT: AT&T WIRELESS), 26410 Duval Way; File #139-08-CUP; A request for a Site Development Permit for a landscape screening plan for a wireless communication facility approved on January 8, 2009. CEQA Review: Categorical Exemption per Section 15304 (b) (Staff-David Keyon).

David Keyon, Associate Planner, explained that the application was a landscape screening plan for the wireless antenna facility approved by City Council on January 8, 2009. Seven Aleppo pine trees and 14 toyon shrubs were proposed as screening for the equipment enclosure and tree pole at St. Luke's Church on Duval Way.

Commissioner Cottrell asked if there were alternative types of trees that could be used instead of the pine trees.

Philip Thomas, representative for AT&T, said the pines were chosen to help blend the tree pole with the existing trees on the site, but he was willing to plant a different type of tree.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

MOTION MADE, SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Abraham and seconded by Commissioner Clow to approve the requested Site Development Permit for a landscape screening plan subject to the conditions of approval.

AYES: Commissioners Cottrell, Collins, Clow, Abraham, and Chairman Harpootlian
NOES: None

This item will be forwarded to a future meeting of the City Council.

3.4 LANDS OF PURISSIMA HILLS WATER DISTRICT (APPLICANT: AT&T WIRELESS), 26451 Ascension Drive; #21-09-CUP; A request for a Conditional Use Permit renewal for a wireless communication facility. CEQA Review: Categorical Exemption per Section 15301(a) (Staff-Nicole Horvitz).

Chairman Harpootlian recused himself from this item as he resides within the 500 feet noticing radius. Commissioner Clow presided over this item.

Nicole Horvitz, Assistant Planner, presented the staff report for the Conditional Use Permit renewal for a wireless facility approved on July 17, 2003. The location at 26451 Ascension Drive is a water storage site for the Purissima Hills Water District. The applicant had proposed a modification to the permit for the addition of eight cables and two remote electrical tilts which will not be visible.

Jed Peters, representative for AT&T, explained that the modifications to the facility will permit remote electrical maneuvers and provide improved service for new technologies.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

MOTION MADE, SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Cottrell and seconded by Commissioner Abraham to forward a recommendation to the City Council to approve the requested modifications and extend the Conditional Use Permit renewal period from five to ten years.

AYES: Commissioners Cottrell, Collins, Clow, and Abraham
NOES: None
ABSTAIN: Chairman Harpootlian

This item will be forwarded to a future meeting of the City Council.

4. OLD BUSINESS - none

5. NEW BUSINESS – none

6. REPORTS FROM THE CITY COUNCIL MEETINGS

- 6.1 Planning Commission Representative for April 9th – Commissioner Cottrell
- 6.2 Planning Commission Representative for April 23rd – Commissioner Abraham
- 6.3 Planning Commission Representative for May 14th – Commissioner Harpootlian
- 6.4 Planning Commission Representative for May 28th – Commissioner Collins

7. APPROVAL OF MINUTES

7.1 Approval of April 2, 2009 minutes

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Abraham and seconded by Commissioner Cottrell to approve the April 2, 2009 minutes as presented.

AYES: Commissioners Cottrell, Collins, Clow, Abraham and Chairman Harpootlian
NOES: None

8. REPORTS FROM FAST TRACK MEETINGS – none

9. REPORTS FROM SITE DEVELOPMENT MEETINGS – APRIL 21, 2009

- 9.1 LANDS OF BOAL, 13860 Robleda Road; File #27-09-ZP-SD; A request for a Site Development Permit for a 282 square foot second unit with a 282 square foot basement (maximum height 18') and a 760 square foot swimming pool. CEQA review: Categorical Exemption per Section 15303 (a) & (e) (Staff-Nicole Horvitz).

10. ADJOURNMENT

The meeting was adjourned by consensus at 8:38 p.m.

Respectfully submitted,

Victoria Ortland
Planning Secretary